

Procurement



Competition

3016.36(c)

(1) Restrictive Situations

- i. Unreasonable requirements
- ii. Unnecessary experience & excessive bonding
- iii. Noncompetitive pricing practices
- iv. Noncompetitive rewards to consultants on retainer
- v. Organizational conflicts of interest
- vi. Specifying only a brand name

(2) Prohibits statutory or administratively imposed in-State or geographic preference (except Federally mandated or encouraged)

(3) Written selection procedures

§250.30(c): Selection Criteria



States apply equal treatment to select or reject processors

- Nutritional Contribution
- Marketability
- Distribution Method
- Price & Yield
- Label Requirements
- Ability to Meet Terms & Conditions

Reminders

- Processing specific requirements
- NPA and State agreements \neq contract
No procurement has taken place!!
- Small purchase threshold does not exempt procurement